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8 **IN THE UNITED STATES DISTRICT COURT**
9 **FOR THE EASTERN DISTRICT OF CALIFORNIA**
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11 KENNETH MILLS,

No. CIV S-04-1649-DFL-CMK

12 Plaintiff,

13 vs.

ORDER

14 STATE OF CALIFORNIA, et al.,

15 Defendants.
16 _____/

17 Plaintiff, a state prisoner proceeding pro se, brings this civil rights action pursuant
18 to 42 U.S.C. § 1983. On September 1, 2004, the court directed plaintiff to submit either an
19 application for leave to proceed in forma pauperis or the filing fee within 30 days. That order was
20 served by the Clerk of the Court on plaintiff at his address of record. That order was returned as
21 undeliverable on October 13, 2004. On March 3, 2005, plaintiff submitted a document to the
22 court. That document reflects that plaintiff changed addresses. In the interest of justice, the court
23 construes the March 3, 2005, document as a notice of change of address and will direct the Clerk
24 of the Court to update the court's docket to reflect plaintiff's new address. The court will also
25 provide plaintiff an additional opportunity to comply with the court's initial September 1, 2004,
26 order. Plaintiff is warned that failure to comply with the court's order may result in dismissal of

1 this case.

2 Accordingly, IT IS HEREBY ORDERED that:

3 1. The Clerk of the Court is directed to update the court's docket to reflect the
4 following address of record for plaintiff, as shown on his March 3, 2005, document:

5 Metropolitan State Hospital
6 11401 S. Bloomfield Avenue
Norwalk, California, 90650

7 2. The Clerk of the Court is further directed to re-serve the court's September
8 1, 2004, order on plaintiff at the above address;

9 3. Within 30 days of the date of re-service of the September 1, 2004, order,
10 plaintiff shall submit either a completed application to proceed in forma pauperis or the filing fee
11 for this action; and

12 4. The Clerk of the Court is directed to send plaintiff a new form Application
13 to Proceed In Forma Pauperis By a Prisoner.

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15 DATED: October 5, 2005.

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18 **CRAIG M. KELLISON**
UNITED STATES MAGISTRATE JUDGE
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